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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,773	12/20/2001	Michael Epstein	US 010675	3921

24737 7590 11/25/2003

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 11/25/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/024,773

Applicant(s)

EPSTEIN, MICHAEL

Examiner

Aravind K Moorthy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/20/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-5 and 10-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakagawa et al U.S. Patent No. 6,104,826.

As to claims 1 and 10, Nakagawa et al discloses receiving a request for a requested segment of a plurality of segments that comprises a data set [column 1, lines 16-48]. Nakagawa et al discloses locating a substitute segment from a collection of substitute segments [column 8, lines 35-41]. Nakagawa et al discloses that the substitute segment having a watermark that contains a watermark value is associated with the requested segment [column 8, lines 42-54]. Nakagawa et al discloses communicating the substitute segment in response to the request for the requested segment [column 10, lines 23-51].

As to claims 2 and 11, Nakagawa et al discloses locating a substitute segment includes determining the watermark value that is associated with the requested segment [column 10, lines 42-63].

As to claims 3 and 12, Nakagawa et al discloses identifying a select subset of the plurality of segments that comprise the data set [column 11, lines 50-67]. Nakagawa et al discloses communicating the requested segment in response to the request when the requested segment is within the select subset [column 12, lines 1-23].

As to claims 4 and 13, Nakagawa et al discloses adding segments of the select subset to the collection of substitute segments [column 12, lines 24-29].

As to claims 5 and 14, Nakagawa et al discloses receiving a dictionary of the data set that identifies each watermark value corresponding to each segment of the plurality of segments comprising the data set, to facilitate determining the watermark value that is associated with the requested segment [column 14, lines 19-47].

As to claim 15, Nakagawa et al discloses receiving a request from the watermark security system for a select segment of a data set that includes a plurality of segments, as discussed above. Nakagawa et al discloses providing a substitute segment from a collection of substitute segments, as discussed above. Nakagawa discloses determining whether the substitute segment is acceptable to the watermark security system [column 13, lines 39-67]. Nakagawa et al discloses associating the substitute segment to the select segment of the data set, if the substitute segment is acceptable to the watermark security system [column 14, lines 19-63].

As to claim 16, Nakagawa et al discloses that the dictionary is configured to contain a set of associations of substitute segments for the plurality of segments of the data set [column 12, lines 1-23].

2. Claims 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Braudaway et al U.S. Patent No. 5,825,892.

As to claim 6, Braudaway et al discloses an interface that is configured to receive a request for a requested segment of a plurality of segments comprising a data set [column 6, lines 10-31]. Braudaway et al discloses a dictionary that is configured to provide a watermark value corresponding to the requested segment [column 7, lines 11-34]. Braudaway et al discloses and

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a substitution device operably coupled to the interface and to the dictionary [column 6, lines 10-31]. Braudaway et al discloses that it is configured to provide a substitute segment from a collection of watermarked segments in response to the request [column 7, lines 35-65]. Braudaway et al discloses that the substitute segment includes a watermark that has the watermark value corresponding to the requested segment [column 8, lines 7-44].

As to claim 7, Braudaway et al discloses that the interface is further configured to provide the requested segment from the select subset of segments, when the requested segment is within the select subset [column 9 line 30 to column 10 line 21].

As to claim 8, Braudaway et al discloses that the substitution system is further configured to add segments of the select subset of segments to the collection of watermarked segments [column 9 line 30 to column 10 line 21].

As to claim 9, Braudaway et al discloses that the dictionary is further configured to receive a mapping of each watermark value corresponding to each segment of the plurality of segments comprising the data set [column 10, lines 22-66]. Braudaway et al discloses that this facilitates a determination of the watermark value corresponding to the requested segment, as discussed above.

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K Moorthy whose telephone number is 703-305-1373. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1373.

Aravind K Moorthy
November 19, 2003


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100